

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BRIAN WRIGHT,

Plaintiff,

v.

DETECTIVE AUGIAR, et al.,

Defendants.

2:14-cv-01731-APG-NJK

**ORDER**

**I. DISCUSSION**

On October 20, 2014, Plaintiff, who is a prisoner in the custody of the United States Marshals, submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis*. Docket Nos. 1, 1-1.

Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff submitted the required financial certificate, but has not submitted an inmate account statement. Docket No. 1, at 4. As such, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff's civil rights complaint (Docket No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis* or, in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis*, he must file a fully complete application to proceed *in forma pauperis*.

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1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma*  
3 *pauperis* (Docket No. 1) is DENIED without prejudice to file a new application.

4 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved  
5 form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled  
6 information and instructions for filing an *in forma pauperis* application.

7 IT IS FURTHER ORDERED that, no later than November 26, 2014, Plaintiff shall either: (1)  
8 file a fully complete application to proceed *in forma pauperis*, on the correct form with complete  
9 financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full filing fee of \$400.

10 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, dismissal  
11 of this action may result.

12 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (Docket No.  
13 1-1), but shall not file it at this time.

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15 DATED: This 27th day of October, 2014.

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19 NANCY J. KOPPE  
20 United States Magistrate Judge  
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